

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Camille Smith, Jerry Province, Samuel Ramos
and Jose Morales, et al.,

SUMMONS IN A CIVIL ACTION

V.

David Paterson; Brian Fischer; Glenn Goord;
Richard Desimone, et al.

CASE NUMBER: 08 cv 3313 (SHS)

TO: (Name and address of Defendant)

David A. Paterson, Governor
State Capitol
Albany, New York 12224

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

LEVENTHAL & KLEIN, LLP.
45 MAIN STREET, SUITE 230
BROOKLYN, NEW YORK 11201

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

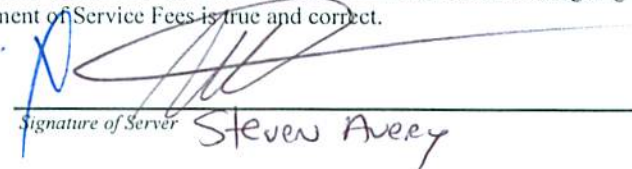
APR 02 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	April 18, 2008 at 11:00am
NAME OF SERVER (PRINT) Steven Avery	TITLE	Process Server
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: State Capital Albany, NY 12224		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): Served upon William Estes, Esq., co-worker of the defendant. M, W, Br, 45, 5'10, 180		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>April 21, 2008</u> <small>Date</small>	 <small>Signature of Server</small> Steven Avery	
<u>93 West Sand Lake Road Wyanntskill N.Y.</u> <small>Address of Server</small>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.